

Resolution No.: 16-813
Introduced: December 9, 2008
Adopted: December 9, 2008

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Approval of Planning Board Draft Limited Amendment to the Sector Plan
for the Wheaton Central Business District and Vicinity

Background

1. On June 20, 2008, the Montgomery County Planning Board transmitted to the County Executive and the County Council the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity.
2. The Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity amends the Sector Plan for the Wheaton Central Business District and Vicinity, 1990, and the General Plan for the Physical Development of the Maryland-Washington Regional District.
3. On July 24, 2008, the County Executive transmitted to the County Council his fiscal analysis of the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity.
4. On September 16, 2008, the County Council held a public hearing regarding the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity. The Limited Amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.
5. On October 27, 2008, the Planning, Housing, and Economic Development Committee held a worksession to review the issues raised in connection with the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity.
6. On November 18 and November 25, 2008, the County Council reviewed the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity, dated June 2008, is approved with revisions. Council revisions to the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

Page 4: Amend the last sentence on the page as follows:

Building Heights, for example, would step down from as much as [143] 125 feet in the CBD-2 [Zone] zone South of Blueridge Avenue to 60 [feet or] to 90 feet along Blueridge Avenue and to 35 feet in the proposed townhouse community on the former Good Counsel High School site south of Arcola Avenue.

Page 5: Add the following sentence after the first paragraph on the page:

This Limited Amendment recommends a careful assessment of parking for new development, to ensure that there is not an adverse impact on the occupants of the existing structures.

Page 5: Revise the second paragraph as follows:

[This Amendment does not recommend] While mixed-use development would also be appropriate for the Weinberg property on Lot 8, this Plan [; it] recommends instead that the C-O Zone remain in place.

Pages 5 to 6: Revise the text under the heading "Parcel 920" as follows:

This Amendment recommends that Parcel 920 be reclassified to the CBD-0.5 Zone and that the Central Business District boundary be expanded to include this parcel. This property is located between properties that appear poised for development. To the south are Avalon Bay's properties on Blueridge Avenue, recommended in this Amendment for mixed-use development in the CBD-1 zone (which allows an FAR of 3.0 and up to 125 units per acre). To the north is the former Good Counsel High School site, which is now zoned for townhouse development at 15 dwelling units to the acre. Recommended residential densities for those properties and the existing multifamily community to the east are higher than the nine units to the acre recommended for the property by the 1990 *Sector Plan*. Increased densities on Parcel 920 will increase the availability of housing and can contribute to the inventory of housing of varying types and affordability. They will not compromise the Sector Plan's objective of a smooth transition from the Central Business District to the one-

family neighborhoods outside the Sector Plan area. The Amendment strongly encourages an Optional Method Development for this property as well. An Optional Method Development would allow a denser development with more on- or off-site public use space, more Moderately Priced Dwelling Units and firmer regulatory controls through the site plan process than a Standard Method Development. Recognizing topographic constraints on this property, maximum heights set for this zone, and the need to ensure an appropriate transition to the surrounding residential development, this Limited Amendment recommends a maximum density on this property of 40 units to the acre. The density may be increased to accommodate permitted density bonuses for Moderately Priced Dwelling Units and Workforce Housing.

In summary, [staff] this Limited Amendment makes the following recommendations for the study area.

- Expand the boundary of the Wheaton Central Business District to include all of Parcel C, Villa Verde, and Parcel 920.
- Reclassify Parcel C, as well as Lots 5, 6, and 7 from the C-O Zone to the CBD-1 Zone.
- Reclassify Parcel 920 to the CBD-0.5 Zone.
- Remove the Wheaton Retail Preservation Overlay Zone from properties on the north side of the block of Blueridge Avenue between Georgia Avenue and Elkin Street.
- Retain the C-O Zone on Lot 8.
- Allow a reduction of required public use space on site to 10 percent, should an Optional Method Development occur on CBD-1 properties, if the developer opts to adhere to standards in the Zoning Ordinance that allow off-site provision of some or all of the required 20 percent public use space.
- Encourage off-site provision of public use space when Parcel 920 develops.
- Review parking for new development to ensure that existing buildings continue to have adequate access to public parking.

Page 10: Delete the fourth bullet and replace as follows:

- [Create open at the eastern portion of the area in the CBD-1 Zone and along Elkin Street, incorporate it into public use space for the benefit of neighborhood workers and residents, and design it so that new development does not “surround” the existing building on Lot 8]
- Ensure that new development achieves compatibility with the existing structures and does not “surround” the existing building on Lot 8, by creating open and landscaped areas or public use space in areas adjacent to Lot 8 and along Elkin Street; establish lower building heights in these areas; and increase setbacks between the existing structure and any new buildings.

Page 11: Revise the text under the heading “Environment” as follows:

New sector plans in urbanizing areas of the county [, such as Twinbrook and White Flint,] recognize the need for greater efforts in avoiding carbon emissions, increasing energy efficiency, and conserving water. There are a variety of techniques available to meet these goals, many of which are mandated in legislation and regulation. Because services needed for living and working are in close proximity, mixed-use developments enable residents to reduce the number of vehicle miles traveled, thus reducing the amount of carbon emitted. [Carbon emissions can be reduced more if the development is built with energy systems that draw from renewable sources such as photovoltaic cells or geothermal heat pumps. Living spaces should be outfitted with Energy Star appliances and lighting. Conserving water can be achieved through measures such as extensive green roofs, bioinfiltration cells or rain gardens, graywater reuse systems, and low flow water fixtures.] An open space system with adequate pervious area provides ground area for trees to grow and areas for rain to infiltrate into the groundwater. [Development proposed by this Amendment should provide required public use space within in the Central Business District if it cannot be fully achieved on site.] This Amendment recommends that new development adhere to the latest techniques to maximize [:

- Provide high performance measures in new buildings that prioritize] water conservation, energy efficiency, and pervious open space, and to reduce [reducing] carbon emissions.
- [Provide pervious open space except where necessary for walkways and bikeways
- Incorporate ways to deconstruct existing buildings and make every reasonable effort to recycle or reuse materials in the existing building.]

Page 11: Insert the following text after the section on the Environment:

Schools

Montgomery County Public Schools long-range planning staff analyzed the impact of increased residential development in the study area. The proposed zones could permit as many as 830 dwelling units on the Avalon Bay and WMATA properties. The analysis assumed that residential development would occur in mid-rise units. Using factors for this type of housing in this part of the county, MCPS analysts concluded that development on the properties would produce an additional 35 elementary school students, 33 middle school students and 28 high school students for schools in the Kennedy High School cluster. For Fiscal Year 2009, Elementary School capacity in the cluster is currently considered inadequate at 105 percent of capacity, which means that developers must make a school facility payment to proceed with proposed projects. Middle and high school capacity is adequate at 105 percent for FY 2009. All consortium clusters have adequate capacity at 120 percent.

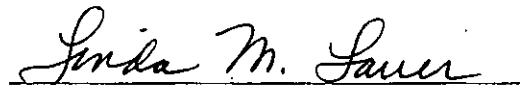
Parks

The Planning Department is currently preparing a new Sector Plan for the Wheaton Central Business District. The Plan will include an overall open space plan for the entire Sector Plan area, which continues to include this Limited Amendment's study area. The Planning Board's review of Project and Site plans provides an opportunity to guide provision of open and recreation space for proposed new development in the overall context of the developing Sector Plan. In addition to the new open space plan, new residents in the study area will be served by existing park facilities, including Wheaton Regional Park, Arcola Local Park, and Wheaton Forest Local Park.

General

All figures and tables included in the Plan are to be revised, where appropriate, to reflect District Council changes to the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity. Maps should be revised, where necessary, to conform to Council actions. The text is to be revised, as necessary, to achieve clarity and consistency, to update factual information, and to convey the actions of the District Council. All identifying references pertain to the Planning Board Draft Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council